

REMARKS

Favorable reconsideration of the present patent application is respectfully requested in view of the foregoing amendments and the following remarks.

In this Amendment claims 10, 14 and 40-42 are amended, claim 51 is added, and no claims are canceled (claims 1-9 and 23-27 were previously canceled). As a result, claims 10-22 and 28-51 are pending in the application, following the entry of this Amendment.

In the pending Office Action dated December 21, 2005 claims 10-22 and 45-47 are rejected under 35 U.S.C. §103(a) in view of U.S. Patent 5,945,988 (Williams) and further in view of U.S. Patent 6,263,502 (Morrison). Claims 28-44 and 48-50 are rejected under 35 U.S.C. §103(a) in view of Williams and further in view of U.S. Patent 5,389,963 (Lepley).

Williams / Lepley §103 Rejection

It is respectfully submitted that the §103(a) rejection of claims 28-44 in view of the Williams / Lepley hypothetical combination cannot be maintained, for at least the following reasons.

The Williams patent involves a method and apparatus for automatically determining and dynamically updating user preferences in an entertainment system. The system described in the Williams patent includes a processor agent which monitors user interaction with the entertainment system, automatically determining which user is interacting with the system in order to configure the system in accordance with the appropriate user profile. The Williams system also monitors and records the user's activities with the system to update the user profile which is kept in a user profile database 700.

The Williams patent discusses sending a signal to configure the system in accordance with the detected user's user preference information.¹ However, the Williams patent does not disclose or suggest "receiving a plurality of media signals from a plurality of different media devices and producing an output signal derived from one input signal," as recited in claim 28.

The Williams patent discusses sending the signal to configure the system in response to detecting the identity of the user on the basis of the current user's interaction with the system in comparison to the viewing habits of known users.² However, the Williams patent does not disclose or suggest "a processor, responsive to said selection command, for accessing one of said values from said table, the one value accessed by the processor being in an entry corresponding to said selected one input signal" and "an output controller coupled to said output device for setting said at least one parameter of said output signal in accordance with said one value," as recited in claim 28.

The Office Action relies upon the Lepley patent to overcome the deficiencies of the Williams patent. The Lepley patent involves a system for selectively interconnecting audio-video sources and receivers. It is respectfully submitted that the Lepley patent does not overcome the deficiencies of Williams. For example, Lepley does not disclose or suggest "producing an output signal derived from one input signal," as recited in claim 28. Lepley merely routes one of the input signals to the output. Further, Lepley does not disclose or suggest "a processor, responsive to said selection command, for accessing one of said values from said table, the one value accessed by the processor being in an entry corresponding to said selected one input signal" and "an output controller coupled to said output device for setting said at least

¹ Williams, Fig. 3 step 308; Fig. 4 step 406. See col. 9, lines 25-30 and col. 11, lines 26-30.

one parameter of said output signal in accordance with said one value,” as recited in claim 28.

Accordingly, it is respectfully submitted that the Williams patent and the Lepley patent, either taken singly or as a hypothetical combination, do not teach or suggest the features of claim 28, or claims 28-39 depending therefrom. Therefore, withdrawal of the rejection is requested.

Amended Claims

Claims 10, 14 and 40-42 are amended herein, thus obviating the pending rejection of these claims and the claims depending therefrom. While the arguments set forth on the record below are not conceded, it is believed that the claim amendments of the present Amendment put these claims in even better condition for allowance. According, an examination on the merits is respectfully requested, in view of the present amendments.

² Williams, col. 8, line 61 to col. 9, line 26.


Deposit Account Authorization / Provisional Time Extension Petition

To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 50-0439 and please credit any excess fees to such deposit account.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. However, in the event there are any unresolved issues, the Examiner is kindly invited to contact applicant's representative, Scott Richardson, by telephone at (703)965-7228 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,



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Date: April 21, 2006